

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *et. al*,  
*ex rel.* KREGG EVERETT,

Plaintiffs,

v.

GENPATH DIAGNOSTICS,  
BIO-REFERENCE LABORATORIES, INC.,  
and CYTOMETRY SPECIALISTS, INC.,

Defendants.

10 Civ. 4212 (GBD)

~~PROPOSED~~ UNSEALING ORDER

WHEREAS, on or about May 25, 2010, relator Gregg Everett ("Relator") filed a Complaint (the "Relator Complaint") under seal pursuant to the *qui tam* provisions of the federal False Claims Act, 31 U.S.C. § 3729 *et seq.* against defendants Bio-Reference Laboratories, Inc., its subsidiary Genpath Diagnostics, and Cytometry Specialists, Inc. ("CSI") in the United States District Court for the Southern District of New York;

WHEREAS, on or about September 8, 2020, the United States filed a Notice of Partial Intervention in this action (the "Notice of Intervention"),

WHEREAS, on or about September 8, 2020, the United States filed a Complaint-in-Intervention (the "Government Complaint") in this action against the Defendant;

WHEREAS, on or about September 8, 2020, the United States, Defendant, and Relator entered into a Stipulation and Order of Settlement and Dismissal (the "Settlement"); and

WHEREAS, on or about September 8, 2020, the United States and Relator entered into a Stipulation and Order of Settlement and Release (the "Relator's Stipulation");

IT IS HEREBY ORDERED, that:

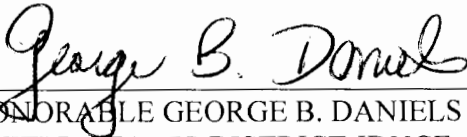
1. As of the date of this Order, the seal shall be lifted in this matter as to any filing occurring on or after that date, including this Order, the Notice of Partial Intervention, the Government Complaint, the Settlement, and the Relator's Stipulation.

2. All documents filed with the Court in this matter prior to the date of this Order shall remain under seal, except for the Relator Complaint, which shall be unsealed.

Dated: New York, New York  
September \_\_, 2020

SO ORDERED:

SEP 14 2020

  
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HONORABLE GEORGE B. DANIELS  
UNITED STATES DISTRICT JUDGE